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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,543	05/21/2001	Tahir Hussain	27943-00419USP1	1269

7590 06/07/2004

JENKENS & GILCHRIST, P.C.
3200 FOUNTAIN PLACE
1445 ROSS AVENUE
DALLAS, TX 75202-2799

EXAMINER

NGUYEN, HAI V

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 06/07/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/862,543

Applicant(s)

HUSSAIN ET AL.

Examiner

Hai V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5.6</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the application filed on 21 May 2001.
2. Claims 1-26 are presented for examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by **Short** et al. US patent no. **6,636,894 B1**.

5. As to claim 1, Short, Systems And Methods For Redirecting Users Having transparent Computer Access To A Network Using A Gateway Device Having Redirection Capability, teaches substantially the invention as claimed, including a method for collecting information from a telecommunications network for a portal, comprising the steps of:

receiving at least one service level from the portal, the at least one service level associated with at least one subscriber (*Short, col. 10, lines 20-61; col. 11, line 44 – col. 13, line 22*);

determining at least one parameter that corresponds to the at least one service level (*Short, col. 10, lines 20-61; col. 11, line 44 – col. 13, line 22*);

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collecting at least one item of information that relates to the at least one subscriber in accordance with the at least one parameter (*Short, col. 10, lines 20-61; col. 12, line 48 – col. 13, line 22*); and

forwarding the at least one item of information to the portal (*Short, location-based information and authorization , ...,can be sent to the portal page as part of this redirection process. This enables the portal page to be customized to include customized information, such as locale restaurant ads or train schedules. (col. 10, lines 20-61; col. 12, line 48 – col. 13, line 22)*)).

6. As to claim 2, Short teaches, wherein the at least one item of information comprises a location indication of a mobile equipment associated with the at least one subscriber (*Short, col. 9, line 26 – col. 10, line 4; col. 12, line 48 – col. 13, line 22*).

7. As to claim 3, Short teaches, wherein the at least one subscriber comprises the plurality of subscribers comprising a group of subscribers related according to the portal (*Portal for Hotel Providers, or Airports or Restaurants, col. 12, line 19 – col. 13, line 22*).

8. As to claim 4, Short teaches, wherein the at least one service level is received in a transaction agreement between the portal and the telecommunications network (*Short, col. 10, lines 20-39*).

9. As to claim 5, Short teaches, wherein the at least one parameter comprises at least one of an accuracy range, a response time, a network node/entity (*hotel node or airport node*), and a polling of vs. proactive triggering by a designated network node/entity variable (*hotel portal having link for convention or convention services or*

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airport portal having specific retail services available to the users) (Short, col. 11, line 6 – col. 12, line 47).

10. As to claim 6, Short teaches, wherein said step of collecting at least one item of information that relates to the at least one subscriber in accordance with the at least one parameter comprises the steps of: polling a network node/entity for the at least one item of information; and receiving, responsive to said step of polling, the at least one item of information from the network node/entity (*Short, hotel portal having link for convention or convention services or airport portal having specific retail services available to the users (col. 11, line 6 – col. 12, line 47)*).

11. As to claim 7, Short teaches, wherein the network node/entity comprises a home location register or a mobile positioning center (*Short, hotel node or airport node; col. 9, line 52- col. 10, line 61; col. 11, line 6 – col. 12, line 47*).

12. As to claim 8, Short teaches, wherein said step of collecting at least one item of information that relates to the at least one subscriber in accordance with the at least one parameter comprises the steps of:

instructing a network node/entity to proactively trigger transmission of the at least one item of information (*Short, col. 9, line 52- col. 10, line 61; col. 11, line 6 – col. 12, line 47; col. 12, line 48 – col. 13, line 22*); and

receiving, responsive to said step of instructing, the at least one item of information from the network node/entity (*Short, col. 9, line 52- col. 10, line 61; col. 11, line 6 – col. 12, line 47; col. 12, line 48 – col. 13, line 22*).

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13. As to claim 9, Short teaches, wherein the network node/entity comprises at least one of a mobile equipment, a subscriber identity module (SIM), and a SIM application (*Short, PDA or portable computer user; col. 9, line 52- col. 10, line 61; col. 11, line 6 – col. 12, line 47*).

14. As to claim 10, Short teaches, wherein the portal comprises at least one of an Internet portal, an information service provider, a data server, and a world wide web (WWW) site (*Short, col. 9, line 52- col. 10, line 61; col. 11, line 6 – col. 12, line 47*).

15. As to claim 11, Short teaches, wherein said step of determining at least one parameter that corresponds to the at least one service level comprises the step of mapping the at least one service level in a data structure to an entry comprising a plurality of parameters, the plurality of parameters including the at least one parameter (*Short, col. 9, line 52- col. 10, line 61; col. 11, line 6 – col. 12, line 47*).

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 12-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Short** as applied to claims 1-11 above, and further in view of **Bhatia** U.S. patent no. **5,930,699**.

18. As to claim 12, Short teaches substantially a method for collecting information from a telecommunications network for a portal, comprising the steps of:

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receiving from the portal a service level corresponding to desired location information, the service level associated with at least one subscriber (*Short, col. 9, line 52- col. 10, line 61; col. 11, line 6 – col. 12, line 47; col. 12, line 48 – col. 13, line 22*); However, Short does not explicitly disclose comparing the received service level to a plurality of stored service levels, the plurality of stored service levels including a first service level and a second service level; if the received service level matches the first service level, then requesting the desired location information via a first scheme; if the received service level matches the second service level, then requesting the desired location information via a second scheme. Thus, the artisan would have been motivated to look into the related networking arts for potential methods and apparatus for implementing the comparing and matching the location information services provided.

In the same field of endeavor, Bahtia, related Addressing retrieving System, discloses in *Fig. 2 that the cell group identity (CGI) 75 and/or location area (LA) 80 information for the mobile station 10 is compared at the step 105 to the CGI and LA information for the selected business classification category 70 having either the same or substantially the same CGI and/or LA as the requesting mobile station 10 (Bahtia, Fig.2, col. 2, line 1 – col. 3, line 40)*. Short also suggests that *location-based information and authorization ,...,can be sent to the portal page as part of this redirection process. This enables the portal page to be customized to include customized information, such as locale restaurant ads or train schedules. (Short, col. 10, lines 20-61; col. 12, line 48 – col. 13, line 22)*. Short also suggests that *the information provided in the portal page may*

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prompt the user to adjust any number of specific parameters, such as billing scheme, the routing, the level of service and/or other user-related parameters (Short, col. 10, lines 20-39).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Bhatia's teachings of comparing and selecting location information for mobile station (*Bahtia, Abstract, Fig. 2; p col. 2, line 1 – col. 3, line 40*) with the teachings of Short, for the purpose of providing the ability to request and to retrieve the address information for particular type of information where the mobile user is stationed (*Bhatia, col. 1, lines 30-52*). Short also suggests that enabling the portal page to be customized to include customized information, such as locale restaurant ads or train schedules (*Short, col. 12, line 48 – col. 13, line 22*).

Short-Bhatia discloses, receiving the desired location information via at least one of the first scheme and the second scheme (*Short, col. 9, line 52- col. 10, line 61; col. 11, line 6 – col. 12, line 47; Bahtia, Fig. 2, item 115; col. 2, line 1 – col. 3, line 40*); and

Short-Bhatia discloses forwarding the received desired location information to the portal (*Short, col. 9, line 52- col. 10, line 61; col. 11, line 6 – col. 12, line 47; Bahtia, Fig. 2, item 115; col. 2, line 1 – col. 3, line 40*).

19. Claim 13 is similar limitation of claim 10; therefore, it is rejected under the same rationale as in claim 10.

20. Claim 14 is similar limitation of claim 4; therefore, it is rejected under the same rationale as in claim 4.

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21. As to claim 15, Short-Bhatia discloses, wherein the first service level includes a first accuracy range and the second service level includes a second accuracy range, the first accuracy range differing from the second accuracy range (*Short, col. 9, line 52- col. 10, line 61; col. 11, line 6 – col. 12, line 47; Bhatia, the first range in the first level of MSC/VLR 30 is differing from the second range in the second level of MS, Fig. 1*).

22. As to claim 16, Short-Bhatia discloses, wherein the first service level includes a first response time and the second service level includes a second response time, the first response time differing from the second response time (*Short, col. 9, line 52 - col. 10, line 61; col. 11, line 6 – col. 12, line 47; Bhatia, the first range in the first level of MSC/VLR 30 is differing from the second range in the second level of MS, Fig. 1*).

23. As to claim 17, Short-Bhatia discloses, wherein the first service level includes a first network node/entity (*Bahtia, Fig. 1, items 30, 40*) and the second service level includes a second network node/entity, the first network node/entity differing from the second network node/entity (*Bahtia, Fig. 1, item MS*) (*Short, col. 9, line 52 - col. 10, line 61; col. 11, line 6 – col. 12, line 47; Bhatia, the first range in the first level of MSC/VLR 30 is differing from the second range in the second level of MS, Fig. 1*).

24. As to claim 18, Short-Bhatia discloses, wherein the first network node/entity comprises a mobile positioning center (*Bahtia, Fig. 1, items 30, 40*) and the second network node/entity comprises a mobile equipment (*Bahtia, Fig. 1, item MS*).

25. As to claim 19, Short-Bhatia discloses, wherein the first network node/entity comprises a home location register node (*Bahtia, Fig. 1, item 40*) and the second network node/entity comprises a mobile equipment (*Bahtia, Fig. 1, item MS*).

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26. As to claim 20, Short-Bhatia discloses, wherein the first service level includes a first mobile equipment transmission medium and the second service level includes a second mobile equipment transmission medium (*Short, col. 9, line 52- col. 10, line 61; col. 11, line 6 – col. 12, line 47; Bahtia, col. 2, line 1 – col. 3, line 40*).

27. As to claim 21, Short-Bhatia discloses, wherein the first mobile equipment transmission medium comprises a short message service (SMS) format and the second mobile equipment transmission medium comprises an unstructured supplementary service data (USSD) format (*Short, col. 9, line 52 - col. 10, line 61; col. 11, line 6 – col. 12, line 47; Bahtia, col. 2, line 1 – col. 3, line 40*).

28. As to claim 22, Short-Bhatia discloses, wherein the first scheme comprises polling a network node/entity for the desired location information, and the second scheme comprises at least one of (i) retrieving a previously-received-from-a- mobile-equipment desired location information and (ii) pushing an application module to a mobile equipment and awaiting the desired location information to be received from the mobile equipment (*Short, col. 9, line 52 - col. 10, line 67; col. 11, line 6 – col. 12, line 47; col. 12, line 48 – col. 12, line 22; Bahtia, col. 2, line 1 – col. 3, line 40*).

29. As to claim 23, Short-Bhatia discloses an arrangement for facilitating the collecting of target information from a telecommunications network for a portal, comprising:
a first logic module, said first logic module capable of communicating with the portal to receive at least one service level, the at least one service level associated with at least one subscriber (*Short, col. 9, line 52 - col. 10, line 67; col. 11, line 6 – col. 12, line 47*);

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a second logic module, said second logic module capable of communicating with the telecommunications network to receive target information therefrom (*Short*, col. 9, line 52 - col. 10, line 67; col. 11, line 6 – col. 12, line 47; *Bahtia*, Abstract, col. 2, line 1 – col. 3, line 40);

a data structure, said data structure including a plurality of entries, each entry of the plurality of entries including a service level and at least one parameter (*Short*, col. 9, line 52 - col. 10, line 67; col. 11, line 6 – col. 12, line 47; *Bahtia*, Abstract, col. 2, line 1 – col. 3, line 40); and

a third logic module, said third logic module capable of comparing the at least one service level with each entry of the plurality of entries of said data structure to determine a corresponding entry (*Short*, col. 9, line 52 - col. 10, line 67; col. 11, line 6 – col. 12, line 47; *Bahtia*, Abstract, col. 2, line 1 – col. 3, line 40).

30. As to claim 24, Short-Bhatia discloses, wherein the arrangement comprises a business-to-business (B2B) engine (*Short*, col. 9, line 52 - col. 10, line 67; col. 11, line 6 – col. 12, line 47; col. 12, line 48 – col. 13, line 34).

31. As to claim 25, Short-Bhatia discloses, wherein at least two of the first logic module, the second logic module, and the third logic module comprise a single larger consolidated logic module (*Short*, col. 9, line 52 - col. 10, line 67; col. 11, line 6 – col. 12, line 47; col. 12, line 48 – col. 13, line 34).

32. As to claim 26, Short-Bhatia discloses, wherein the at least one parameter comprises a network node/entity, and wherein at least one of said second logic module and said third logic module is configured to orchestrate a communication regime with

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the network node/entity to thereby receive the target information therefrom (*Short, col. 9, line 52- col. 10, line 67; col. 11, line 6 – col. 12, line 47; col. 12, line 48 – col. 13, line 34*).

33. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 703-306-0276. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hai V. Nguyen
Examiner
Art Unit 2142



JACK B. HARVEY
SUPERVISORY PATENT EXAMINER